UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

In re:

S
Chapter 11

DENTON LONE OAK HOLDINGS, L.P.
S
Case No. 10-40836
Debtor.
S

DENTON LONE OAK HOLDINGS, L.P.'S OBJECTION TO CLAIM NUMBER 37 FILED BY TASK FORCE LOGISTICS, INC.

TO THE HONORABLE BRENDA T. RHOADES, UNITED STATES BANKRUPTCY JUDGE:

NO HEARING WILL BE CONDUCTED ON THIS MOTION UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AND SERVED UPON THE PARTY FILING THIS PLEADING WITHIN TWENTY ONE (21) DAYS FROM DATE OF SERVICE UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH RESPONSE.

IF NO RESPONSE IS TIMELY SERVED AND FILED, THIS PLEADING SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT.

IF A RESPONSE IS FILED AND SERVED IN A TIMELY MANNER, THE COURT WILL THEREAFTER SET A HEARING. IF YOU FAIL TO APPEAR AT THE HEARING, YOUR RESPONSE MAY BE STRICKEN, THE COURT RESERVES THE RIGHT TO SET A HEARING ON ANY MATTER.

COMES NOW, Denton Lone Oak Holdings, L.P. (the "Debtor"), Debtor herein, and files this Objection to Claim Number 37 Filed by Task Force Logistics, Inc. ("TFL"), and respectfully shows as follows:

I. JURISDICTION AND VENUE

- 1. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding pursuant to 28 U.S.C. § 157 (b)(2)(A), (B) and (O).
 - 2. Venue in this Court is proper under 28 U.S.C. §§1408 and 1409.

II. OBJECTION TO CLAIM

- 3. Pursuant to Fed. R. Bankr. P. 3007 and 11 U.S.C. §§ 502 and 507, the Debtor objects to Claim #37 because the claim amount reflected on Claim #37 does not correspond to the amount reflected on the Debtor's books and records. Additionally, the claimant failed to include sufficient prima facie evidence to show that the Debtor was liable to claimant.
- 4. The Debtor further objects that TFL holds a lien against any real property and improvements as described in the Second Lien Deed of Trust.
 - 5. The Debtor further specifically denies that it has engaged in fraud.
- 6. The Debtor reserves the right to make further objections to Claim #37. The Debtor further reserves the right to file additional objections to claims in this bankruptcy case.
- 7. All responses to this Objection must be filed with the Court and served upon Debtor's counsel on or before twenty-one (21) days from the date of the service of this Objection.

WHEREFORE, PREMISES CONSIDERED, Denton Lone Oak Holdings, L.P. requests that the Court enter an Order: (i) sustaining the Objection to Proof of Claim No. 37 Filed by Task Force Logistics, Inc.; (ii) disallowing Claim #37; (iii) reserving the Debtor's right to bring causes of action under the Bankruptcy Code as well as any other claims that the Debtor may possess under state or federal law against the claimant; and (iv) granting Debtor such other legal and equitable relief to which it is entitled.

Respectfully submitted,

HIERSCHE, HAYWARD, DRAKELEY & URBACH, P.C.

By: <u>/s/ Russell W. Mills</u>
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ATTORNEYS FOR DENTON LONE OAK HOLDINGS, LP

CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of July, 2010, a true and correct copy of the foregoing document was electronically filed and served pursuant to Federal Rule of Bankruptcy Procedure 3007 via electronic email or First Class U.S. Mail on the following:

United States Trustee 300 NationsBank Tower 110 N. College Avenue Tyler, TX 75702 Task Force Logistics, Inc. c/o Bruce Akerly Cantey Hanger LLP 1999 Bryan Street, Suite 3330 Dallas, TX 75201

/s/ Russell W. Mills

Russell W. Mills